

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q86486

Hidekazu KIMURA, et al.

Appln. No.: 10/525,840

Group Art Unit: 1795

Confirmation No.: 9912

Examiner: John S MAPLES

Filed: February 25, 2005

For: FUEL CELL AND PORTABLE DEVICE EQUIPPED WITH THE SAME, AND FUEL
CELL OPERATING METHOD

RESPONSE TO OFFICE COMMUNICATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Office Communication, dated January 13, 2009 stating the Response to Restriction and Election of Species Requirement filed December 24, 2008 was improper. To correct improper election, Applicant elects Group I, claims 1-18 and Embodiment I, transforming section-vibrating, for which claims 1-6, 9-15 and 18 are readable, for examination. This election is made without traverse. The Examiner states that claims 1-3, 9-12, and 18 are generic to the elected Group I. The Examiner also believes that Claims 19 and 20 are generic to Embodiment I although not within the elected Group I.

Applicant believes the foregoing corrects the errors of the Response to Restriction and Election of Species Requirement filed December 24, 2008.

RESPONSE TO OFFICE COMMUNICATION
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Howard L. Bernstein/

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Date: January 26, 2009